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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ALMONT AMBULATORY SURGERY CENTER, LLC, a California limited liability company, et al., Plaintiffs, v. UNITEDHEALTH GROUP, INC.; UNITED HEALTHCARE SERVICES, INC., UNITED HEALTHCARE INSURANCE COMPANY; OPTUMINSIGHT, INC., and DOES 1 through 20, Defendants.	Case No. 2:14-cv-03053-MWF(VBKx) Hon. Michael W. Fitzgerald [Related to Case No. 2:14-cv-02129] **[PROPOSED] ORDER:** **(1) RELEASING TO COUNTERCLAIM DEFENDANTS ONLY FOR *IN CAMERA* REVIEW AFFIDAVITS FILED UNDER SEAL IN SUPPORT OF WARRANTS; OR** **(2) IN THE ALTERNATIVE, RECUSING MAGISTRATE JUDGE**

UNITED HEALTHCARE SERVICES, INC., UNITED HEALTHCARE INSURANCE COMPANY; OPTUMINSIGHT, INC.,

Counterclaim Plaintiffs,

v.

ALMONT AMBULATORY SURGERY CENTER, LLC, a California limited liability company; et al.,

Counterclaim Defendants.

ORDER

Individual Counterclaim Defendants Michael Omidi, M.D. and Julian Omidi and Plaintiffs and Counterclaim Defendants Almont Ambulatory Surgery Center, LLC, et al. (collectively "Counterclaim Defendants") moved for: (1) an order releasing to Counterclaim Defendants only for *in camera* review the Government's affidavits filed under seal in support of warrants issued by Magistrate Judge Victor B. Kenton in connection with the ongoing criminal investigation of Counterclaim Defendants to aid Counterclaim Defendants in determining whether to seek recusal of Magistrate Kenton from this action and Case No. 2:14-cv-02139, to which this action is related (together "Actions"); or (2) in the alternative, an order recusing Magistrate Judge Kenton from the Actions. The Motion was heard on February 2, 2015. Based on the papers filed in support of and in opposition to the Motion and argument of counsel and GOOD CAUSE appearing therefor, IT IS HEREBY ORDERED THAT:

(1) The Government's affidavits filed under seal in support of the warrants issued by Magistrate Kenton is hereby released to Counterclaim Defendants only for *in camera* review to aid Counterclaim Defendants in determining whether to seek recusal of Magistrate Judge Kenton from the Actions. [or]

(2) Magistrate Judge Kenton is recused from further service in the Actions (Case Nos. 2:14-cv-02139 and 2:14-cv-03053), and the Clerk of the Court is directed to reassign another Magistrate Judge to hear discovery matters in the Actions.

IT IS SO ORDERED.

Dated: February ___, 2015

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HON. MICHAEL W. FITZGERALD
United States District Judge